
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
February 2, 2015
COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

The Common Council meeting was called to order at 5:30 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

ROLL CALL

Present: Mayor Brian Olson, Aldermen Gary Payson, Sr., Hoss Rehberg, Gregory Huss, Jim D'Alessandro, Scott McClory, Tom Myrin.

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Utility Director John Murphy, Fire Chief Rod Smith, Library Director Lisa Selje, Recreation Director Wendy Meyer, City Engineer Paul Vanhenkelum, Reporter Kellen Olshefski, others interested persons.

PUBLIC COMMENT

None.

CONSENT AGENDA

Mayor Olson requested to handle the minutes separately from other items under consent agenda. **Motion (Payson/Huss) to approve the minutes of the January 19, 2015 Common Council meeting. Motion carried.** Mayor Olson inquired on the need for a Temporary Class B License for the St. Patrick's Marriage Presentation. City Clerk Virrueta explained it is a public event with an invited speaker doing a program on marriage and the church plans to sell alcohol at it. **Motion (Payson/McClory) to approve the Temporary Class "B"/"Class B" Retailers Licenses for the St. Patrick's event on February 14, 2015 and a Temporary Operator's License for Regan Homan at the event. Motion carried.**

REPORT OF CITY OFFICERS

Mayor's Report

No report.

City Administrator's Report

Administrator Tapson received a draft final of the Springsted report and will have it to the HR committee in a couple of weeks.

Finance Director's Report

Reports were included with the packet; no additional information.

COMMITTEE REPORTS

Municipal Services

Alderman Payson said the DOT will be installing traffic lights at I-43 and STH 67, north and south bound, with an option for the City to pay to have EVP devices added to the lights at a cost of approximately \$7,000. The committee discussed adding the devices to other City lights and installing transmitter devices in PD/Fire/EMS vehicles. The committee needed more information and will be discussing it at the next meeting.

The state changed statutes regarding deferred payment agreements (DPA) on utility bills for tenants. The committee considered four options to implement, in addition to doing nothing. The committee chose to implement all four changes, and if a tenant meets any one of the four then a DPA would not be provided. Alderman D'Alessandro asked the effective date of the changes. Utility Director Murphy said the application would be submitted to the PSC and it would then take 60-90 days after. **Motion (Rehberg/Huss) to apply to the Public Service Commission for all four changes which would then excluded tenants from being allowed DPA's: If over \$100 arrears for over 90 days; if a DPA was defaulted**

on in the last 12 months; if a utility bill was put onto the tax roll in the last 24 months; and a balance that accrued during the winter moratorium that is more than 80 days past due. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.

Alderman Payson said the committee continued discussion on the property maintenance code. Building Inspector Mesler, Zoning Administrator Schaeffer, Police Chief Christensen and Police Captain Anzalone were part of the discussion and will bring back their recommendations in one month. Mayor Olson asked the council to also bring back their suggestions to see how it meshes with staff. He asked the suggestions be sent to Administrator Tapson.

Finance and Judicial

Alderman McClory said the PD is planning to purchase ten new desk top computers and the old computers will be scrubbed and auctioned. **Motion to purchase ten laptop computers for the police department from Vanguard for \$5,960.00. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.**

Stu Rosenberg, president of ICI, came to the committee to provide information on the business park marketing broker contract. The contract with NAI/MLG expires at the end of the month and the City will not be renewing it. Administrator Tapson sent an RFP for economic development market analysis.

Legislative and Regulatory

The packet sent was missing an ordinance referenced on the agenda; City Clerk Virrueta will make sure it is in the packet for the next council meeting.

Alderman Rehberg said the police department was conducting alcohol compliance checks the end of December and an employee at Someplace Else Restaurant sold to an underage buyer. The committee decided to assess 50 demerit points against Someplace Else rather than 75 as outlined by the City ordinance, as it is their first incident.

NEW BUSINESS

Administrator Tapson said Ehlers has changed their approach and now charges an annual fee. Finance Director Heilman said they do continuing disclosure forms for the City and it is now a separate item. It is on a sliding scale fee structure and the City is at \$3,800. It is required to do continuing disclosures.

Motion (Payson/McClory) to approve Ehlers Engagement Agreement for Compliance with SEC "Continuing Disclosure" Regulations. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.

Mayor Olson said the City finalized the Memorandum of Understanding with the Elkhorn Economic Development Association (EEDA). Alderman McClory asked how much the City was giving the EEDA, as that line was blank in the memorandum. Mayor Olson said it was \$45,000 and it is in the 2015 budget. **Motion to approve the Elkhorn Economic Development Association, LLC Memorandum of Understanding and to include the amount of \$45,000 as budgeted in 2015. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.**

Kapur and Associates made a payment request for the contractor, JB Johnson Brothers, for the Market Street sidewalk for work completed to date. Engineer VanHenkelum said there is still work to be completed and a portion of the contract amount was retained to complete the work. **Motion to pay JB Johnson Brothers \$112,095.03 per Kapur and Associates recommendation, for work done to date on Market Street sidewalks. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.**

PUBLIC COMMENT

Engineer VanHenkelum said Ryan would be in the conference room with drawings for the Sunset Pool parking lots.

ADJOURN TO CLOSED SESSION

Motion (Payson/McClory) to adjourn to closed session pursuant to Section Wisconsin Statutes 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for review of long term wholesale power contract. Motion carried. Adjourn to closed session at 5:52 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:52 p.m.

ADJOURN

The council adjourned at 6:52 p.m.

Cairie L. Virrueta
City Clerk

Approved 02/16/15